

REMARKS

Claims 23-43 remain pending herein.

Claims 23, 31-43 were rejected under §102(b) over Bhargava et al. The claims were also over a combination of Jia et al. or Goyal et al. in view of Bhargava et al. These rejections are respectfully traversed for the following reasons.

The claimed invention is drawn to a superconductive article that includes a substrate tape and a superconductive layer, the superconductive layer comprising a plurality of superconductive films of the same material, the superconductive films being in direct contact with each other. The claimed feature of a plurality of superconductive films in direct contact with each other is of particular significance, and is a result of forming processes according to embodiments of the claimed invention. In contrast, Bhargava et al. is drawn to a solution/Sol-based process flow in which superconductive *precursor* is deposited. The precursor is in the form of an organic Sol, which is dried. Coating/drying are repeated numerous times in order to build-up the thickness of the superconductive layer to an adequate thickness for current carrying capability. At no time in the process flow or in the final structure disclosed by Bhargava et al. does the superconductive article contain multiple superconductive films. That is, the teachings of Bhargava are limited solely to a plurality of superconductive *precursor* films which are converted to form a superconductive layer.

The attention of the PTO is drawn to the Rule 132 Declaration attached hereto, which provides a more detailed technical explanation and accompanying evidence showing the lack of a plurality of superconductive films according to the teachings of Bhargava et al. As explained in the Declaration, Sol-based processing results in a monolithic mass of superconducting material with no identifiable layer boundaries. In fact, the TEM photograph attached to the Declaration of a Sol-based superconductive article shows that a 1.1 micron thick superconductive layer resulting from four precursor films has no identifiable films in the final structure.

Applicants respectfully submit that the PTO's reliance upon Bhargava et al. is deficient, and the other prior art references fail to overcome the deficiencies of Bhargava et al. Accordingly, withdrawal of the rejections based on Bhargava et al. is respectfully requested.

Applicants respectfully submit that the present application is now in condition for allowance. Accordingly, the Examiner is requested to issue a Notice of Allowance for all pending claims.

Should the Examiner deem that any further action by the Applicants would be desirable for placing this application in even better condition for issue, the Examiner is requested to contact Applicants' undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

Date

2/21/06

[Handwritten signature]
Jeffrey S. Abel, Reg. No. 36,079
Attorney for Applicant(s)
TOLER, LARSON & ABEL, L.L.P.
5000 Plaza On The Lake, Suite 265
Austin, Texas 78746
(512) 327-5515 (phone)
(512) 327-5452 (fax)